



2PW  
JAC

PATENT

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Chang et al

**Examiner:** Jeanty, Romain

**Serial No:** 10/617,965

**Group:** Art Unit: 3623

**Filed:** July 11, 2003

**Docket:** Y0R920030197US1 (8728-627)

**For:** **SYSTEM AN METHODS FOR MONITORING AND CONTROLLING  
BUSINESS LEVEL SERVICE LEVEL AGREEMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop - Petitions

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181  
AND SUPPORTING STATEMENT**

This is a petition under 37 C.F.R. 1.181 requesting withdrawal of the holding of abandonment of the above-identified application. On or about February 16, 2006, our office received a Notice of Abandonment, which was mailed on February 14, 2006, indicating that the above-identified application had gone abandoned based on Applicant's failure to timely file a response to an Office Action mailed on 27 July 2005. A copy of the Notice of Abandonment is annexed hereto.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria VA. 22313-1450, on the date indicated below.

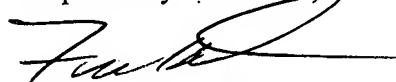
Dated: 4/10/06

  
Frank V. DeRosa

However, the record in this case indicates that our Office never received the Office Action of 27 July 2005 because the Office Action was mailed to a wrong address. Indeed, on 27 July 2005, the undersigned attorney mailed a Change of Correspondence Address form, which was filed on 29 July 2005. A copy of the Change of Correspondence Address form as filed with the USPTO on 29 July 2005 is annexed hereto.

Apparently, the Office Action was issued on the same day that the Change of Correspondence was mailed (i.e., 27 July 2005). The Office Action was returned to the USPTO as undelivered on 28 July 2005 (as indicated in the annexed printout from the PUBLIC PAIR for this application). Despite the filing of the Change of Correspondence, the Office Action was not re-mailed to our new address. As such, the Applicants' undersigned attorney was not aware of the outstanding Office Action, until receiving the Notice of Abandonment. Accordingly, Applicants respectfully request that the Notice of Abandonment be withdrawn, and that the Patent Office reissue the outstanding Office Action.

Respectfully submitted,

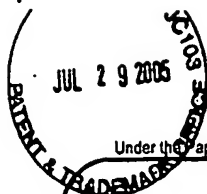


Frank V. DeRosa

Reg. No. 43,584

Attorney for Applicant(s)

F. Chau & Associates, LLC  
130 Woodbury Road  
Woodbury, New York 11797  
TEL: (516) 692-8888  
FAX: (516) 692-8889



IFW

PTO/SB/122 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## CHANGE OF CORRESPONDENCE ADDRESS

Application

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.



Application Number	10/617,965
Filing Date	July 11, 2003
First Named Inventor	Chang
Art Unit	3623
Examiner Name	Jeanty, Romain
Attorney Docket Number	YOR920030197US1 (8728-627)

Please change the Correspondence Address for the above-identified patent application to:

☒ Customer Number :

OR

<input type="checkbox"/> Firm or Individual Name	Frank V. DeRosa				
Address	F. CHAU & ASSOCIATES, LLC				
Address	130 WOODBURY ROAD				
City	WOODBURY	State	NY	Zip	11797
Country	US				
Telephone	516-692-8888	Fax	516-692-8889		

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☐ Applicant/Inventor
- ☐ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or Agent of record. Registration Number 43,584
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name Frank V. DeRosa

Signature 

Date July 27, 2005

Telephone (516) 692-8888

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz Alerts](#) | [News](#) | [Help](#)

[Portal Home](#) | [Patents](#) | [Trademarks](#)

## Patent eBusiness

- [Electronic Filing](#)
- [Patent Application Information \(PAIR\)](#)
- [Patent Ownership](#)
- [Fees](#)
- [Supplemental Resources & Support](#)

## Patent Information

### Patent Guidance and General Info

- [Codes, Rules & Manuals](#)
- [Employee & Office Directories](#)
- [Resources & Public Notices](#)

## Patent Searches

### Patent Official Gazette

- [Search Patents & Applications](#)
- [Search Biological Sequences](#)
- [Copies, Products & Services](#)

## Other

- [Copyrights](#)
- [Trademarks](#)
- [Policy & Law](#)
- [Reports](#)

## Patent Application Information Retrieval

Select Search Method: Enter Number:

Application Number

**SUBMIT**

10/617,965 Systems and methods for monitoring and control level agreements

Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Publication Dates
------------------	---------------------	--------------------	-----------------	---------------------	-------------------

This application is officially maintained in electronic form. To View: C  
Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description
02-14-2006	<b>Abandonment</b>
07-29-2005	<u>Change of Address</u>
07-28-2005	<b>Mail returned to USPTO as undelivered</b>
07-28-2005	<u>Non-Final Rejection</u>
07-28-2005	<b>List of references cited by examiner</b>
05-02-2005	<u>Response to Election / Restriction Filed</u>
03-31-2005	<b>Requirement for Restriction/Election</b>
03-31-2005	<u>Index of Claims</u>
11-20-2003	<b>Oath or Declaration filed</b>
10-08-2003	<u>Pre-Exam Formalities Notice</u>
07-11-2003	<b>Transmittal letter</b>
07-11-2003	<u>Specification</u>
07-11-2003	<b>Claims</b>
07-11-2003	<u>Abstract</u>
07-11-2003	<b>Drawings</b>

07-11-2003

[Fee Worksheet \(PTO-875\)](#)**07-11-2003****[Fee Worksheet \(PTO-875\)](#)**

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 about Patent Application Information Retrieval (PAIR).*
- *Send general questions about USPTO programs to the [USPTO Business Support](#).*
- *If you experience technical difficulties or problems with this [Business Support](#) or call 1 800-786-9199.*

---

[Home](#) | [Site Index](#) | [Search](#) | [eBusiness](#) | [Help](#) | [Privacy Policy](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,965	07/11/2003	Hung-Yang Chang	YOR920030197US1 (8728-627)	4134
46069	7590	02/14/2006	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			JEANTY, ROMAIN	
			ART UNIT	PAPER NUMBER
			3623	



DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Abandonment**



Application No.

10/617,965

Examiner

Romain Jeanty

Applicant(s)

CHANG ET AL.

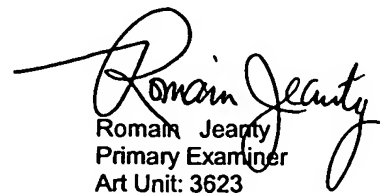
Art Unit

3623

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–**

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 July 2005.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
Romain Jeanty  
Primary Examiner  
Art Unit: 3623

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.